

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MOMOLU V.S. SIRLEAF, JR.,

Petitioner,

v.

Civil Action No. **3:21CV267**

L. EDMONDS,

Respondent.

MEMORANDUM OPINION


Momolu V.S. Sirleaf, Jr., a Virginia inmate proceeding *pro se*, submitted this 28 U.S.C. § 2254 Petition. Sirleaf challenges his conviction for second-degree murder in the Circuit Court for the City of Alexandria. The Court previously has denied a 28 U.S.C. § 2254 petition by Sirleaf challenging the above conviction. *Sirleaf v. Pearson*, No. 3:17CV606, 2019 WL 123915, at *1 (E.D. Va. Jan. 7, 2019), *appeal dismissed*, 776 F. App'x 168 (4th Cir. 2019). For the reasons set forth below, the action will be DISMISSED for lack of jurisdiction.

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a “gatekeeping mechanism.” *Felker v. Turpin*, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, “[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.” 28 U.S.C. § 2244(b)(3)(A).

The Court has not received authorization from the United States Court of Appeals for the Fourth Circuit to file the present § 2254 Petition. Therefore, the action will be DISMISSED for want of jurisdiction. The Court will DENY a certificate of appealability.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: May 10, 2021
Richmond, Virginia



M. Hannah Lauck
United States District Judge